

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Edwin C. Tucker
Michael S. McGuire
Leonard G. Lee
John S. Lynn

Serial No.: 10/092,960
Filed: February 28, 2002

Reissue Application for
U.S. Patent No. 5,779,407
issued July 14, 1998

Art Unit: 3725

Examiner: Bray, Waymond D.

For: ROUTER TABLE FENCE SYSTEM

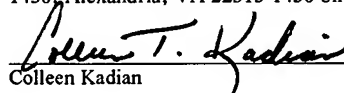
Assigned to: Lee Valley Tools, Ltd.

Attorney Docket: LV131RE (268829)

Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing

I hereby certify that this correspondence being deposited with the United States Postal Service as certified first class mail in an envelope addressed to: Mail Stop Reissue, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: September 11, 2003.


Colleen Kadian

**RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME**

Sir:

This paper responds to the Office Action mailed May 15, 2003 in the above-identified patent application.

Remarks are on page 2.

Summary of Interviews are on page 3.

Petition for One Month Time Extension is on page 4.

Conclusion is on page 5.

09/16/2003 DTESSEN1 00000048 10092960

01 FC:1251 110.00 OP

09/16/2003 DTESSEN1 00000048 10092960

02 FC:1051 130.00 OP

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9-26-03

RECEIVED
SEP 16 2003
TECHNOLOGY CENTER R3700

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

REMARKS

The Action rejects claims 1-45 as being based upon a defective reissue declaration. Applicant's Assignee herewith submits a revised Declaration For Reissue Patent Application By The Assignee (attached behind Exhibit A) that Applicant's Assignee believes cures the deficiencies identified in the Action. Thus, Applicant's Assignee respectfully requests that the rejection of claims 1-45 be withdrawn. The requisite \$130 filing fee required under C.F.R. 1.53(f) and 1.16(e) is enclosed. Assignee's attorney believes no other fees are due for submission of the Declaration, however, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Order Account No. 11-0855.

Pursuant to 37 CFR §1.178, Applicant's Assignee also herewith surrenders the original patent, U.S. Patent No. 5,779,407 (attached behind Tab B).

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

SUMMARY OF INTERVIEWS

The undersigned attorney spoke with Examiner Bray on August 7, 2003 to clarify the alleged deficiencies in the reissue declaration and on August 13, 2003 to discuss Applicant's Assignee's draft revised declaration.

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

PETITION FOR ONE-MONTH TIME EXTENSION

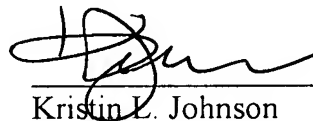
Applicant's Assignee hereby petitions that the period for responding to the Examiner's Action mailed on May 15, 2003 be extended for one month, up to and including September 15, 2003. Enclosed is a check to cover the appropriate fee for this extension under 37 C.F.R. § 1.17. The undersigned attorney believes no further fees are due; however, the Commissioner is authorized to debit deposit account no. 11-0855 to the extent necessary if additional fees are due.

Reissue Application for
U.S. Patent No. 5,779,407
Filed: January 30, 1997
RESPONSE TO OFFICE ACTION AND
PETITION FOR EXTENSION OF TIME

CONCLUSION

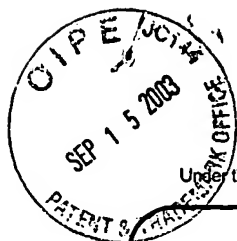
Applicant's Assignee submits that this Response to Office Action fully addresses and resolves all issues identified in the Office Action and thus respectfully requests re-issuance of the patent with claims 1-45.

Respectfully submitted,



Kristin L. Johnson
Registration No. 44,807
Attorney for Assignee

OF COUNSEL:
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Suite 2800
1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6389



\$2725

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/092,960
	Filing Date	February 28, 2002
	First Named Inventor	Edwin C. Tucker
	Art Unit	3725
	Examiner Name	Bray, Waymond D.
Total Number of Pages in This Submission	Attorney Docket Number	LV131RE (L3440/268829)

ENCLOSURES (check all that apply)					
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration for Reissue Patent Application By The Assignee Original Letters Patent U.S. Patent No. 5,779,407			
<table border="1"><tr><td>Remarks</td><td rowspan="2"><div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/00</div></td></tr><tr><td> </td></tr></table>			Remarks	<div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/00</div>	
Remarks	<div>RECEIVED SEP 16 2003 TECHNOLOGY CENTER HST/00</div>				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name	Kristin L. Johnson, Esq. Kilpatrick Stockton LLP				
Signature					
Date	September 11, 2003				

CERTIFICATE OF MAILING

I hereby certify that this Transmittal Form PTO/SB/21 and all documents referred thereon as enclosed is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP REISSUE, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, Virginia 22313-1450 on: September 11, 2003.

Colleen Kadian

SEP 15 2003
PATENT & TRADEMARK OFFICE

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PTO/SB/17 (05-03)
Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 240

Complete if Known

Application Number 10/092,960
Filing Date 02/28/2002
First Named Inventor Edwin C. Tucker
Examiner Name Bray, Waymond D.
Art Unit 3725
Attorney Docket No. LV131RE (L3440/268829)

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SEP 16 2003
TECHNOLOGY CENTER #3700

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit
Account
Number

11-0855

Deposit
Account
Name

KILPATRICK STOCKTON LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

2. EXTRA CLAIM FEES

Total Claims -20 ** = 0 X = 0
Independent Claims -3 ** = 0 X = 0
Multiple Dependent X = 0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR.1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____


*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 240

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Kristin L. Johnson Registration No. Attorney/Agent 44,807 Telephone 404-815-6389
Signature  Date September 11, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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